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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/976,516	10/12/2001	Vijaykumar M. Patel	PF02025NA/10-29	2608

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EXAMINER

PARTHASARATHY, PRAMILA

ART UNIT	PAPER NUMBER
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2136

DATE MAILED: 01/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/976,516

Applicant(s)

PATEL ET AL.

Examiner

Pramila Parthasarathy

Art Unit

2136

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>10/12/2000</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to the communication filed on 12/06/2001. Claims 1 – 20 were received for consideration. No preliminary amendments to the claims were filed. Claims 1 – 20 are currently being considered.

Information Disclosure Statement

2. An initialed and dated copy of Applicant's IDS form 1449 is attached to the Office action.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1 – 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Joyce (U.S. Patent Number 6,519,703).

Regarding Claim 1, Joyce teaches and describes, a method for providing node security in a router of a packet network (Fig. 1, 2; Summary and Column 2 line 16 – Column 5 line 17), comprising the steps of:

monitoring a data packet sent from an originator via the router and addressed to a destination device other than the router (Column 2 lines 30 – 45);

determining in the router whether the data packet is potentially harmful to the destination device (Column 2 lines 30 – 53);

interrupting transmission of the data packet in response to determining that the data packet is potentially harmful to the destination device, comprising the step of communicating with a second router to cause the second router to interrupt transmission of a future data packet (Column 2 line 30 – Column 3 line 5); and

transmitting the data packet in response to determining that the data packet is not potentially harmful to the destination device (Column 2 line 66 – Column 3 line 10).

Regarding Claim 11, Joyce teaches and describes, a router for providing node security in a packet network (Fig. 1, 2; Summary and Column 2 line 16 – Column 5 line 17), comprising:

a plurality of I/O ports for accepting a data packet sent from an originator via the router and addressed to a destination device other than the router, and for transmitting the data packet to the destination device (Column 2 lines 16 – 40 and Column 4 lines 44 – 55); and

a processor coupled to the plurality of I/O ports for processing the data packet;

wherein the processor is programmed to: monitor the data packet (Column 2 line 30 – Column 3 line 28 and Column 4 lines 44 – 60);

determine whether the data packet is potentially harmful to the destination device (Column 2 lines 30 – 53);

interrupt transmission of the data packet in response to determining that the data packet is potentially harmful to the destination device, including communicating with a second router to cause the second router to interrupt transmission of a future data packet (Column 2 line 30 – Column 3 line 5); and

transmit the data packet in response to determining that the data packet is not potentially harmful to the destination device (Column 2 line 66 – Column 3 line 10).

Claims 2 and 12 is rejected as applied above in rejecting claims 1 and 11. Furthermore, Joyce teaches and describes a method for providing node security in a router of a packet network (Fig. 1, 2; Summary and Column 2 line 16 – Column 5 line 17), wherein in response to interrupting the data packet, the processor is further programmed to discard a later data packet from the originator (Column 3 lines 29 – 54).

Claims 3 and 13 is rejected as applied above in rejecting claims 1 and 11. Furthermore, Joyce teaches and describes a method for providing node security in a router of a packet network (Fig. 1, 2; Summary and Column 2 line 16 – Column 5 line 17), wherein in response to interrupting the data packet, the processor is further

programmed to send a command to an upstream router to intercept future data packets from the originator (Column 3 line 1 – 54).

Claims 4 and 14 is rejected as applied above in rejecting claims 1 and 11. Furthermore, Joyce teaches and describes a method for providing node security in a router of a packet network (Fig. 1, 2; Summary and Column 2 line 16 – Column 5 line 17), wherein in response to interrupting the data packet, the processor is further programmed to forward an agent to an upstream router, the agent arranged to intercept future data packets from the originator (Column 3 line 59 – Column 4 line 21) .

Claims 5 and 15 is rejected as applied above in rejecting claims 1 and 11. Furthermore, Joyce teaches and describes a method for providing node security in a router of a packet network (Fig. 1, 2; Summary and Column 2 line 16 – Column 5 line 17), wherein the processor is further programmed to check for a potential presence of at least one of a worm, a virus, and a Trojan horse (Column 3 lines 1 – 37 and Column 4 lines 22 – 29).

Claims 6 and 16 is rejected as applied above in rejecting claims 1 and 11. Furthermore, Joyce teaches and describes a method for providing node security in a router of a packet network (Fig. 1, 2; Summary and Column 2 line 16 – Column 5 line 17), wherein the processor is further programmed to at least one of:

random sample a subset of data packets (Column 6 lines 23 – 29);

monitor data packets having a predetermined source address (Column 4 lines 22 – 43);

monitor data packets having a predetermined destination address (Column 4 lines 22 – 60); and

monitor data packets having a predetermined combination of source and destination address (Column 4 lines 22 – 60).

Claims 7 and 17 is rejected as applied above in rejecting claims 1 and 11. Furthermore, Joyce teaches and describes a method for providing node security in a router of a packet network (Fig. 1, 2; Summary and Column 2 line 16 – Column 5 line 17), wherein the processor is further programmed,

in response to determining that a first data packet is suspicious, to decide to monitor future data packets having at least one of a source address and a destination address matching, respectively, the source and the destination address of the first data packet (Column 4 lines 14 – 60).

Claims 8 and 18 is rejected as applied above in rejecting claims 1 and 11. Furthermore, Joyce teaches and describes a method for providing node security in a router of a packet network (Fig. 1, 2; Summary and Column 2 line 16 – Column 5 line 17), wherein the processor is further programmed to collaborate with an upstream router to cause the upstream router to update its capabilities to detect a potentially harmful data packet (Column 4 line 14 – Column 5 line 17).

Claims 9 and 19 is rejected as applied above in rejecting claims 1 and 11. Furthermore, Joyce teaches and describes a method for providing node security in a router of a packet network (Fig. 1, 2; Summary and Column 2 line 16 – Column 5 line 17), wherein the processor is further programmed to collaborate with an upstream router that is not a neighbor of the router to have the upstream router block transmission from the originator (Column 3 line 1 – 14 and Column 4 lines 22 – 43).

Claims 10 and 20 is rejected as applied above in rejecting claims 9 and 19. Furthermore, Joyce teaches and describes a method for providing node security in a router of a packet network (Fig. 1, 2; Summary and Column 2 line 16 – Column 5 line 17), wherein the processor is further programmed to identify the upstream router by sending a command to the originator, the command requesting address information from participating routers (Column 4 line 34 – Column 5 line 3).

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO Form 892.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pramila Parthasarathy whose telephone number is 571-272-3866. The examiner can normally be reached on 8:00a.m. To 5:00p.m..

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-232-3795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR only. For more information about the PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Pramila Parthasarathy

January 15, 2005.

Handwritten signature
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